

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ERNEST NAJERA,

Plaintiffs,

v.

No. 2:19-cv-01050-KG-KRS

DAVID OLGUIN, et al.,

Defendants.

SCHEDULING ORDER

THIS MATTER comes before the Court following a telephonic Rule 16 scheduling conference held on August 27, 2020. At the hearing, the Court adopted the parties' proposed Joint Status Report and Provisional Discovery Plan, with slight modifications, as reflected in the dates below

Accordingly, **IT IS HEREBY ORDERED** that the parties shall adhere to the following discovery plan:

- (a) Maximum of twenty-five (25) interrogatories by each party to any other party with responses due thirty (30) days after service.
- (b) Maximum of twenty-five (25) requests for admission by each party to any other party with responses due thirty (30) days after service.
- (c) Maximum of twenty-five (25) requests for production by each party to any other party with responses due thirty (30) days after service.
- (d) Maximum of ten (10) depositions per side. Depositions of the parties shall not exceed seven (7) hours. All other depositions shall not exceed four (4) hours unless extended by agreement.

IT IS FURTHER ORDERED that the following case management deadlines shall govern:

(a) Deadline for Plaintiff to amend pleadings pursuant to Federal Rule of Civil Procedure 15: **September 28, 2020**;

(b) Deadline for Plaintiff to join parties pursuant to Federal Rule of Civil Procedure 15: **September 28, 2020**

(c) Deadline for Defendant to amend pleadings pursuant to Federal Rule of Civil Procedure 15: **October 28, 2020**;

(d) Deadline for Defendant to join parties pursuant to Federal Rule of Civil Procedure 15: **October 28, 2020**

(e) Plaintiff's expert-disclosure deadline: **November 30, 2020**;

(f) Defendant's expert-disclosure deadline: **December 18, 2020**;

(g) Deadline for supplementing discovery/disclosures: **Thirty (30) days after receipt of information or completion of discovery**;

(h) Termination of discovery: **January 28, 2021**;

(i) Motions relating to discovery: **February 19, 2021**;

(j) All other motions: **March 12, 2021**;

(k) Pretrial order: Plaintiff to Defendant by: **April 2, 2021**;

Defendant to Court by: **April 16, 2021**.

IT IS FURTHER ORDERED that the Court must approve any changes to the timing or scope of discovery, other than the parties' agreement to extend the length of a deposition made during the deposition in question. Requests by a party to change the timing or scope of discovery,

other than a mutual agreement to extend a deposition reached during the deposition, must be made by motion and before the termination of discovery or the expiration of any applicable deadline. Discovery must be completed on or before the termination of the discovery deadline. A written discovery request must be propounded by a date which ensures that the response to that request is due on or before the discovery deadline. The parties are further reminded that the cutoff for motions related to discovery does not relieve the party of the twenty-one (21) day time period under Local Rule 26.6 to challenge a party's objections to answering discovery. The parties are encouraged to review Federal Rule of Civil Procedure 26(a)(2) to ensure they properly disclose *all* testifying witnesses, not just those for whom a report is required.



KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE